

Daniel T. Hayward, Esq.
Nevada State Bar No. 5986
BRADLEY, DRENDEL & JEANNEY
P.O. Box 1987
Reno, NV 89505
Telephone No. (775) 335-9999
Facsimile No. (775) 335-9993
danhayward@bdjlaw.com

-and-

J. Christopher Albanese
NY Bar No. 3986163
Admitted pro hac vice
WHITE, HILFERTY & ALBANESE, PC
845 Third Ave., Sixth Floor
New York, New York 10022
Telephone No. (917) 932 - 2694
Facsimile No. (646) 690 - 8897
cja@nycjobattorney.com
Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FRED COLEMAN,

CASE NO. 3:20-cv-00718-MMD-CLB

Plaintiff,

v.

**STIPULATION TO EXTEND TIME TO
OPPOSE DEFENDANT'S MOTION
FOR SUMMARY JUDGMENT (FIRST
REQUEST)**

BARRICK GOLDSTRIKE MINES, INC.

Defendant.

AND ORDER

Plaintiff Fred Coleman and Defendant Barrick Goldstrike Mines, Inc., by and through their respective counsel of record, hereby submit this *Stipulation to Extend Time to Oppose Defendant's Motion for Summary Judgment (First Request)* pursuant to LR IA 6-1, LR IA 6-2 and LR 26-3. Pursuant to LR IA 6-1(c), the parties state that Defendant's pending *Motion for Summary Judgment* (Doc. 57) was filed on May 13, 2022, and Plaintiff's opposition is presently due to be filed on **June 3, 2022**. The parties stipulate and request that the Court extend the deadline for Plaintiff to file its opposition by two weeks, to Friday, **June 17, 2022**.

To the extent this stipulation implicates LR 26-3 (which applies to "[a] motion or stipulation to extend any date set by the discovery plan, scheduling order, or other order ..."), the parties agree

that good cause exists for this extension for the following reasons proffered by Plaintiff: Plaintiff's lead counsel's office is preparing the opposition. An associate attorney at Plaintiff's lead counsel's firm resigned earlier this week, and Plaintiff's lead counsel and his remaining associate have had to immediately absorb and address the resigning associate's workload. Meanwhile, Plaintiff's lead counsel has been engaged in a hearing which will not conclude until today (May 26, 2022). The requested extension of time is necessary for Plaintiff's lead counsel to fully and properly consider and respond to the pending *Motion for Summary Judgment*.

The parties note that this stipulation does not seek to extend "a discovery deadline or to reopen discovery," and thus the provisions of LR 26-3(a)-(d) are not implicated.

WHEREFORE, the parties stipulate, and respectfully request, that may enter its order extending the time by which Plaintiff may oppose Defendant's pending *Motion for Summary Judgment* to June 17, 2022.

Dated: May 27, 2022

/s/ Daniel T. Hayward

Daniel T. Hayward, NV Bar #5986
BRADLEY, DRENDEL & JEANNEY

J. Christopher Albanese, NY Bar #3986163
Admitted pro hac vice
WHITE, HILFERTY & ALBANESE, PC

Attorneys for Plaintiff

Dated: May 27, 2022

/s/ Kathleen D. Weron

Michelle D. Alarie, Esq., NV Bar #8981
ARMSTRONG TEASDALE LLP

David C. Castleberry, NV Bar #8981
Kathleen D. Weron, Pro Hac Vice
Utah Bar #8437
MANNING CURTIS BRADSHAW &
BEDNAR PPLC

*Attorneys for Defendant Barrick Goldstrike
Mines, Inc.*

IT IS SO ORDERED.

Dated: May 27, 2022.


MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE